AFD 6 FHC

NOTES

MYSORE GOVERNMENT SECRETARIAT

File No. .....

Department of A 1 7 Agriculture & Forest Department

Section Forest

Subject : Release of an area of 22-19-0 out of FS No. 582 in Yegluru

References :

Date	To whom sent	Notes and instructions
		FOR/NOT FOR NOTE BOOK UNDER SECRETARY Under Secretary to Govt.
	A F.M.04	25-1-63 18-3-63
	ಅರಣ್ಯ ಇಲಾಖೆ (ಅರಣ್ಯ-ಬಿ)	

Mysore Government
Secretariat

File No. of 196 .

[App. F. III 2

Serial No.

Sub:- Grant of land - A G 22-19-0 out of F.S.No.562 of Neglur village, Haveri Taluk, Dharwar Dt. - request of Sri. Puttappa Shantaveerappa Jatti of Neglur.

D.No. 676/63.

Letter No. FOR-SR.1286 dated 11-1-1963 from the Divisional Commr., Belgaum.

1) P.U.D. is for perusal. The Divl. Commr., has submitted proposals received from the ~~Addl~~ Addl., Deputy Commissioner, Dharwar for the disforestment of an area of 22 Acres 19 guntas out of F.S.No.562 of Neglur and has requested to release the same to the R.D. for disposal as per rules on recovering the pro - per market value ~~afyax~~ after the lands belonging to Sri. Puttappa Shantaveerappa Jatti of Neglur are taken over by Government for the proposed tank. The fact of the case is as explained in the Addl., D.C's letter dated 18th Dec., 1962.

2) The Divisional Forest Officer and the Conser - vator of Forests have no objection to the proposal.

3) In view of the report of the Addl., D.C., and the Divl., Commr., we may however agree with the re - commendation and release an area of F G 22-19-0 out of F.S.No. 562 of Neglur in favour of the Applicant.

4) However, before we taken further action, R.D. may see the ~~pax~~ proposal of the D.C.,

25/1/63 R.D) 29/1/63

5) Land is requised for agricultural purposes. The grant of the proposed area does not violate the provisions of ceiling limit. Hence R.D. has no objection.

Note.—Contp. Sheet

Serial No.

b) R.D has agreed to the proposal. vide h.o releasing an area of 22-19-0 out of F.S.No. 562 of Neglur in favour of the Applicant is put up...

18/2/63

Draft G.O. may be approved.

It is to accord sanction for releasing an area of A 22-19-0 out of F.S.No 562 of Neglur in favour of Pittappa Shankaraveerappa Jatti of Neglur in view of his malki land which has been acquired. R.D has agreed.

19/2/63

D.S)

19-2

Sec.)

V. C. HOMBALATYA,
Secretary to Government,
Agriculture & Forest Department.

DEPUTY SECRETARY TO GOVT. NO. 1081 19 FEB 1963 AGRICULTURE & FOREST DEPTT.

AGRICULTURE & FOREST SECRETARY 929 23 FEB 1963 GOVERNMENT OF MYSORE

THE MINISTER FOR FOREST No. F. 631/63 BANGALORE.

B 18/3/63 M (Forests) Approved

SA+F) BR 7/3/63

WD-010154-GPB-PZS-8,00,000-1-10-61

Issue pr 8/3/63 G.O. issued on 18 MAR 1963

(1) 4

Below, the Add-itional Deputy Commissioner, Dharwar's letter No. FOR.S[R].697 dated 17/18-12-1962 addressed to this office.

. . .

AD 6 FAT 63

No.FOR.SR.1286.
Belgaum. 11 -1-1963.

Forwarded with compliments to the Secretary to Government, Agriculture and Forest Department, Bangalore agreeing with the proposals contained in para 4 of Additional Deputy Commissioner's Dharwar's letter.

JBR 19/1/63

2. Government may kindly be moved to issue orders to dis-aforest the land of 22-19 out of F.S.No. 562 of Neglur and to release the same to Revenue Department for disposal as per rules on recovering the proper market value, after the lands belonging to the applicant are actually acquired and taken over by Government for the proposed tank. The Deputy Commissioner has reported ~~by granting the~~ (vide Page 87) that the ceiling limit would not exceed by granting the above land to the applicant.

Sd

3. The connected records may kindly be returned to the Deputy Commissioner, Dharwar, direct when done with.

Signed by the Commr.

(M. A. Hamigi)
For Divisional Commissioner,
Belgaum.

(2) S. 99

Subject:- Grant of 25 acres of land in F.S.No.562 of Neglur Taluka Haveri to Shri Puttappa Shantaveerappa Jatti of Neglur..

...

No.FORSR.697.
To Dharwar:- 17-12-1962.

The Divisional Commissioner,
Belgaum.

Sir,

Reference:- Your No.RB/FORSR-1286 P.89
dated -11-1962.

From the report of the Assistant Engineer at page 85, it is seen that the area to be acquired in Sy.Nos.20 and 21 is as follows:-

A	G		
17-	3	out of S.No.20	) of Bammanakatti.
10-	2	out of S.No.21	)
27-	5		

2. The Sy.No.21/2A+2B, which is subdivision of Sy.No:21, measures 5A-16G. and belongs to the applicant (Please vide page 31. The Assistant Commissioner Haveri Dn.however reports that the exact area out of Sy.No.21/2A+2B proposed to be acquired out of Sy.No.21/2A+2B owned by the applicant could not be ascertained as the land has not been measured. He further states that after acquisition an approximate area of 27A.5G (i.e.17A-3G out of S.No.20 and 10A-2G. out of S.No.21 of which 21/2A+2B is formed) an area of 22A.26G will remain with the applicant out of his total holding of 45A-05G. Thus the total area to be acquired in the land owned by the applicant will be 22A.19G.

3. The Assistant Commissioner further reports that the applicant will not be a landless person but he will become a displaced holder as he will be deprived of - 22A 19G of land out of S.No.20 and 21/2A+2B of Bammanakatti due to acquisition and eventually his ceiling limit of holding will be reduced to that extent. The Assistant - Commissioner therefore recommends that as the applicant will be deprived of his malki lands to that extent due to acquisition, he may be granted an equal area of 22A-19G out of F.S.No.562 of Neglur as permissible under Rule - 37F(2)(b)(iii) of the Bombay Land Revenue (Mysore Amendments) Rules 1960, subject to the payment of market value of the land to be granted to the applicant as already proposed by the Assistant Commissioner at page 37. In view of this, though this displaced holder gets the compensation for the lands to be acquired, he is paying the market value of the land to be granted to the applicant. On consideration that major portion of his land is ~~however~~ taken away and the remaining portion may not be sufficient for his living an extent of equal to the extent of land to be acquired is proposed to be granted. The provisions of section 31 of the L.A.Act may not be applicable in this case (Please vide page 95).

4. In view of the above facts, the request of the applicant may be recommended to Government for grant of land to the extent of 22A-19G out of F.S.No.562 of Neglur to the applicant on payment of market value, out of the Forest area, S.No.562 for which the Conservator of Forest has no objection to this disforestation, as already reported on payment of O.P.of Rs.25 per acre. Hence Government may be moved for disforestation of 22acres 19 guntas of land out of S.No.562

(PTO)

as recommended by Conservator of Forest ~~as~~ for the payment of this land to the displaced holder in the circumstances reported.

5. Papers of the case in one file are submitted herewith.

Yours faithfully,

for Addl.Dy.Commissioner,
Dharwar.

~~O/C. signed by~~
~~Addl. Dy. Commr~~)

34317
RB/FOR
22 DEC 1962

sgk.

(4)

Subject:- Grant of 25 acres of Forest land out of S.No.562 of Neglur- Taluka Haveri- to Shri Puttappa Shantaveerappa Jatti of Neglur.

No.FORSR-697.
Dharwar:- 17-10-1962.

To
The Divisional Commissioner,
Belgaum.

Sir,

In submitting herewith the case papers ending with Assistant Commissioner Haveri Dn.Haveri's No.LGLSR-3690 dated 3-9-1962, I have to state as under.

In this case, one Shri Puttappa Shantaveerappa Jatti of Neglur Taluka Haveri requests for grant of 25 acres of Forest lands out of S.No.562 of Neglur in lieu of his malki lands which will be submerged in water due to the construction of an irrigation tank in S.No.2 of Neglur.

The applicant owns in all, the following lands as seen from the records.

Name of the village.	S.No.	Area.
Akkur.	87/2+3	14-17.
Bammanakatti.	20	25-12
		0- 9 PK
	21/2A+2B	5-16.

Out of S.Nos. 20 and 21 of Bammanakatti a major portion of the land will be submerged after construction of the tank is completed. The Assistant Engineer Haveri Sub-Dn. in his report dated 28-8-1962 states that the area proposed for acquisition in S.No. 20 and 21 of Bammanakatti is 17-3 acres and 10.2 acres respectively.

The Assistant Commissioner Haveri Dn.Haveri after a detailed enquiry in the matter reports that an area of 25 acres out of F.S.No.562 of Neglur may be granted to the applicant on payment of O.P. of Rs.25/- per acre subject to the usual conditions after disforesetment He further states that the applicant does not hold any other lands either as Tenant or as owner. The ceiling limit will not exceed if the abovesaid 25 acres of Forest land is granted to the applicant in lieu of his malki land to be submerged.

The cattle population of the village is 1217 and the grazing area is 1581 acres which is quite sufficient. The villagers and other Harijans have no objection to grant the forest area to the applicant. On the strength of the enquiry made by the Range Forest Officer, the Divisional Forest Officer Dharwar reports that there appears no objection to grant 25 acres of forest land to the applicant out of S.No.562 of Neglur. The Conservator of Forests Belgaum circle recommends the request.

The acquisition proceedings are still in progress. The applicant may get some cash compensation for the lands he loses. The submergence of 27 acres of

(PTO)

8.

of cultivable land will be a great loss to him. He therefore requests for the grant of the forest area to the extent of 25 acres for cultivation in order to maintain his livelihood. The request of the applicant is genuine. The Forest Department has also agreed to give the land measuring 25 acres of Forest land out of S.No.562 of Neglur as shown in the sketch in Red Colour (P-21). Hence there is no objection to disforest the area of 25 acres of S.No.562 of Neglur to grant the same to the applicant on payment of O.P.of Rs.25/- per acre. Government may therefore kindly be moved to accord necessary sanction in the matter.

Yours faithfully,

17/10

For Deputy Commissioner,
Dharwar.

O.C.signed by)
Dy.Commr.)

26/27

sgk.

FOR&R.1286

RB/LR

20 OCT 1962

(6) 97-9

Below report of the Tahsildar Haveri bearing his No. FORSR- 41 of 3-12-1962 in the matter of grant of forest land for cultivation .

-vvvvv--

No. LGISR- 3690

Haveri 13 -12-1962

Resubmitted to the Deputy Commr. Dharwar with the papers of the case in one file .

2. Reply on para 1: The total area proposed for acquisition out of S.No. 20 and 21 comes to 27A- 5 G as already reported by the Assistant Engineer (Page 85). The exact area proposed to be acquired out of S.No. 21/2A+2 owned by the applicant could not be ascertained as the land has not been measured .

After acquisition, an approximate area of 27A-5G (17A-3G out of S.No. 20 and 10 A-2 G out of S.No 21 of which S.No. 21/2.A+2B is formed) an area of 22 A- 26G will remain with the applicant out of the total area of 45A-05G held by him .

Reply on para 2: The applicant will not become landless but he will become a displaced holder as he will be deprived of 22A-19G of land out of S.No.s 20 and 21 /2.A+ 2B due to acquisition and eventually his ceiling limit of holding will be reduced to that extent. As per rule 37-F(2) (b) (iii) as amended by Bombay LRR(Mysore Amendment) Rules -1960 published in the M.G.G under Govt. Notf. No. RD- 6 -LAD- 60 ,dated, 29-12-60) , the the applicant would be entitled for grant of an equal area of about 22A- 19 G out of the forest land S.No. 562 as he will be deprived of his malki lands to that extent due acquisition .Hence the provisions of section 31 of acquisition may not be invoked in this case .

3. For the above reasons , I recommend that the request of the applicant for grant of an area of about 22-19 out of forest land S.No. 562 of Negalur may be considered

P.T.O

in the light of the provisions of rules referred to above subject to payment of market value of the land to be granted as proposed under this office even No. ,dated, 19-3-62.

10.

Assistant Commr. (H)Dn
Haveri

M. G. S. App. F VI—G. 2]

SUBJECT Release of an area of 22-19-0 out of F.S. no 562 of neglur in favour of puttappa Shanthaveerappa Patt. of neglur

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

( )

the 18 MAR 1963 196 .

Proceedings of the Government of Mysore

Date of issue 18 MAR 1963 196

Read—

Letter No. FOR-SR-1286 dated 11th January 1963 from the Divl. Commr., Belgaum.

Signed by.....

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Order thereon.—No.

AFD 6 FAF 63 Bangalore dated the 18 MAR 1963

ORDER

The Divl. Commr., Belgaum has submitted proposals received from the Addl., Deputy Commissioner, Dharwar, for the release of an area of 22-19-0 (A G) out of F.S.No. 562 of Neglur in lieu of his malki land measuring 22-19-0 (A G) which was acquired for the construction of an irrigation tank. The Divl. Commr., has requested orders of Government for the disforestment of an area of 22-19-0 (A G)

out of F.S.No.562 of Neglur in favour of Sri.Puttappa Shantaveerappa N Jatti of Neglur.

After carefully considering the proposal of the Addl., D.C., Dharwar and due to the fact that the Applicant Sri.Puttappa Shantaveerappa Jatti of Neglur is loosing an area of 22-19-0 due to the construction of the irrigation Tank in S.No.2 of Neglur, Government are pleased to order the release of an area of 22-19-0 out of F.S.No.562 of Neglur village, Haveri Taluk, Dharwar District and the area is surrendered to R.D., for being given to Sri. Puttappa Shantaveerappa Jatti of Neglur with the usual terms and conditions as are in vogue in R.D., and also on recovery of the market value, after the land belonging to Sri. Puttappa Shantha - veerappa Jatti of Neglur are actually acquired and taken over by Government for the proposed tank. However, before the area is actually surrendered to R.D., the Malki on the area may be disposed of by the Forest Department.

List of Enclosures.

The C.C.F. is directed to take further action in the matter and submit Draft Disforestment Notification for publication in the Mysore Government Gazette.

To
C.C.F.,
Divl.Commr, Bgm.,
Addl.D.C., Dharwar (with records),
C.F., Belgaum
R.D.,

Copied by

Examined by

B.O. etc.,

U.S.

WD 09414—GPB—PZS—1,00,000—31-5-61